



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: RICHARD PERZ

APPLICATION NO.: 10/ 727,419

FILING DATE: December 4, 2003

Attorney Docket No. 1611-1

PETITION TO WITHDRAW TO WITHDRAW HOLDING OF ABANDONMENT

Honorable Commissioner of Patents  
Alexandria, VA. 22313-1450

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition Fee - No petition fee is enclosed as applicant's Attorney contends that every appropriate action was taken to pay the final fee well in advance of the last date for payment. A copy of the Notice of Abandonment is enclosed as Exhibit A.

2. Reply and / or Fee

A. The completed Fee Transmittal Form was mailed on December 15, 2004 and a true copy thereof is enclosed as Exhibit B.

B. Although payment was previously mailed in the amount of \$985.00 on December 15, 2004, with the transmittal form a check for \$1000.00 to replace that payment is enclosed.

3. BASIS OF PETITION

The Applicant was notified by mail of the requirement to pay the issue fee.

Promptly the Applicant brought the funds to me in cash. I took the cash and on December 15, 2004 purchased at the Uptown Post Office in Kingston, New York, a Postal Money Order for \$985.00.

A copy of the Postal Money Order and the post card receipt are annexed hereto as Exhibit C mounted on the Issue Fee Transmittal Form. These were found in the file when the Notice of Abandonment was received.

I personally mailed the issue Fee with the Transmittal form to the proper address as first class mail with proper postage.

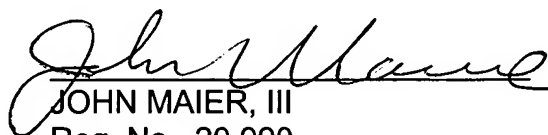
Upon mailing the envelope referred to above, I returned to my office and noted in a docket entry to pay the final fee that the fee was paid. The docket entry, annexed as Exhibit D has the added statement "mailed 12/15/04 Done". The entry was made on an address page of the 2004 docket book as the 2005 docket book had not yet been obtained.

There is no doubt that I mailed Exhibit B and Exhibit C to the appropriate address in a proper envelope with proper postage. The envelope was never returned. The post card receipt was not returned but at Christmas time post card receipts have previously been lost but the first class mail was received by the Patent Office. In this very same application, when the Application was initially filed, also in December, the post card was not returned. THE Post Office has advised orally that the Money Order was never negotiated.

I can only presume that the envelope in this matter fell prey to an overloaded postal system with extensive temporary help. The United States Patent Office and I have a long history of issue fees being paid on time and being properly accepted.

Clearly this abandonment was neither the fault of the Applicant nor his attorney.

Failure to revive this Application will harm my client and revival is the only equitable remedy and is respectfully requested.



JOHN MAIER, III  
Reg. No., 20,990  
Attorney for Applicant  
660 Aaron Court  
Kingston, NY 12401  
PH (845)-340-0010  
FAX (845)-340-0099

Enclosures:

1. Check for \$1000.00
2. Exhibits A, B, C and D, referred to above.
3. Post Card Receipt



## CERTIFICATE OF MAILING

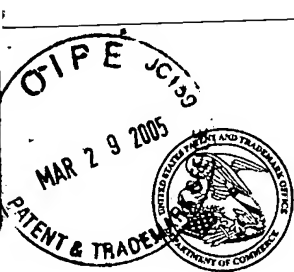
I hereby certify that this correspondence is being deposited with the United States Postal Services on the date shown below with sufficient postage as Express Mail in an envelope addressed to:

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

A handwritten signature in cursive script, reading "John Maier, III".

JOHN MAIER, III  
Reg. No., 20,990  
Attorney for Applicant  
660 Aaron Court  
Kingston, NY 12401  
PH (845)-340-0010  
FAX (845)-340-0099

Dated: March 29, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,419	12/04/2003	Richard Perz	1611-1	7727

7590 03/23/2005

JOHN MAIER, III  
666 AARON COURT  
KINGSTON, NY 12401

EXAMINER

NGUYEN, TRUC T

ART UNIT PAPER NUMBER

2833

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EXHIBIT A- 1/2



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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10727419



EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
- ☐ A reply (with Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_ which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ A reply was received on \_\_\_\_\_, but it does not constitute a proper reply, or a *bona fide* attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below).
- ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85)(or Notice of Publication Fee Due).
- ☐ The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
The issue fee by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required, by 37 CFR 1.18(d) is \$ \_\_\_\_\_.
- ☒ The issue fee and publication fee, if applicable, have not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
- ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
- ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below: \_\_\_\_\_

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

EXHIBIT A - 2/2

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## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

MAR 29 2005

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS** (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or other document, must have its own certificate of mailing.

7590

11/18/2004

**JOHN MAIER, III**  
**666 AARON COURT**  
**KINGSTON, NY 12401**

RE: 10/727, 419  
 APPLICANT: RICHARD PERZ  
 ATTY DK: 1611-1  
 TITLE: CONNECTOR

DEAR SIR:  
 KINDLY AFFIX THE STAMP OF  
 THE PATENT OFFICE TO  
 ACKNOWLEDGE RECEIPT OF:  
 1. FEE TRANSMITTAL-ISSUANCE  
 2. MONEY ORDER FOR \$ 985.00

APPLICATION NO.	FILING DATE
10/727,419	12/04/20

**TITLE OF INVENTION: CONNECTOR**

APPLN. TYPE	SMALL ENTITY
nonprovisional	YES

EXAMINER
NGUYEN, TRUC T

1. Change of correspondence address or indication (CFR 1.363).

- ☐ Change of correspondence address (or Change of Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37.CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate box:

4a. The following fee(s) are being paid:

- ☒ Issue Fee
- ☒ Publication Fee (Note: This fee is not required for applications filed under 35 U.S.C. 101(b)(2).)
- ☐ Advance Order -

5. Change in Entity Status:

☒ a. Applicant claim

The Director of the USPTO has determined that the fee interest as shown by the

Authorized Signature

Typed or printed name

This collection of information is required for the processing of an application. Confidentiality is governed by 37.CFR 1.101. If you are submitting the completed application form to the USPTO, you must also submit this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

EXHIBIT C

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Exh. du  
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PRITCHARD  
Pay Final Fee PER 2  
due 2/12/2005  
Mailed 12/15/04